

Remarks/Arguments:

In the last office action, the Examiner rejected claims 1 to 10 as being unpatentable over Pitchenik (US-4796193) in view of Amirpanahi (US-5648906) and Cordery et al (US-5768132).

Claims 1 to 10 are now cancelled and replaced by new claims 11 to 20.

New claim 11 is directed to a method of mail preparation which includes, *inter alia*, the steps of (the steps being referenced for ease of identification):

- (a) processing a first mail item comprising a mail item in a series of mail items;
- (b) effecting an accounting operation in respect of a first postage charge for the first mail item, and generating a first postage indicium to provide evidence that the accounting operation has been effected in respect of the first postage charge;
- (c) processing a second mail item comprising a mail item, subsequent to the first mail item, in the series of mail items;
- (d) determining whether the first postage charge remains unused because processing of the first mail item has not been completed;
- (e) where the first postage charge is unused, determining whether the first postage indicium is suitable for use in relation to the second mail item; and
- (f) where the first postage indicium is suitable for use in relation to the second mail item, generating a substitute postage indicium to provide evidence in relation to the second mail item that the accounting operation has been effected in respect of the first postage charge.

As the Examiner has noted, Pitchenik discloses the processing of mail items, and thus discloses steps (a) and (c) insofar as one mail item processed by the disclosed system would constitute a first mail item and a later mail item would constitute a second mail

item.

As the Examiner has further noted, Pitchenik discloses that an accounting operation (column 4, lines 45 to 48) is performed in respect of each mail item where the validation information on the respective mail items is determined to be correct, and, following this accounting operation, a printing operation (column 4, lines 51 to 56) is performed to print a validation imprint on the respective mail item. Thus, Pitchenik apparently also discloses step (b).

The Examiner acknowledged that Pitchenik does not disclose any of steps (d), (e) or (f); however, she alleged that a person skilled in the art would have been motivated to modify the system of Pitchenik in accordance with the teachings of Amirpanahi and Cordery et al. in order to "...ensure consistent postal accounting operations that uses unused credit and to get the benefit of using a substitute postage indicium...".

However, the operation of the system of Pitchenik never gives rise to an accounted for, but unused, postage charge, and, given that this circumstance can never occur, a person skilled in the art would have had no conceivable reason to consider modifying the system of Pitchenik to provide for the re-use of an unused, but accounted for, postage charge.

As mentioned hereinabove, Pitchenik discloses that a postage charge is only accounted for following validation of the validation information (column 4, lines 45 to 48), and thus the circumstance can never occur where a postage charge is accounted for before being used. Indeed, Pitchenik discloses expressly that if validation of the validation information is not okay, then processing of the mail item is terminated (column 4, lines 48 to 51), which termination occurs prior to having accounted for the postage charge.

As regards the teaching of Amirpanahi, this document is directed to a computerized parking meter which provides for the refund of any unused parking fee.

It is submitted that this document relates to an entirely unrelated field of art, and a person skilled in the art would manifestly not have considered the teaching of this document to have any application to the re-use of a postage charge in a generated postage indicium.

The Examiner appears to be of the opinion that Amirpanahi would have been considered by a person skilled in the art as the Examiner considers the problem solved by the teaching of this document and the present invention to be the same. This is not the case. The present invention is directed to the re-use of a postage charge in a generated postage indicium, and not merely the re-use of an applied charge per se, and Amirpanahi has no relevance in this regard.

As regards the teaching of Cordery et al, the system disclosed in this document merely provides for the re-use of an already-generated postage indicium, and makes no disclosure or suggestion whatsoever of the generation of a substitute postage indicium as required by the invention as now claimed in step (f).

It is important to recognize that the presently-claimed invention is not directed to a system which provides for the re-use of an already-generated postage indicium, but rather a system which provides for the generation of a substitute postage indicium in respect of a postage charge as applied in an earlier, unused postage indicium.

Thus, the method of new claim 11 is clearly distinguished over the disclosures of Pitchenik in view of Amirpanahi and Cordery et al.

With regard to new claims 12 to 19, these claims are dependent upon an allowable

independent claim, new claim 11, and thus themselves allowable.

New claim 20 is directed to a mail preparation apparatus which includes an accounting unit which is configured to (the features being referenced for ease of identification):

- (a) effect an accounting operation in respect of a first postage charge for a first mail item in a series of mail items, and generate a first postage indicium to provide evidence that the accounting operation has been effected in respect of the first postage charge; and
- (b) in processing a second mail item comprising a mail item, subsequent to the first mail item, in the series of mail items, determine whether the first postage charge remains unused because processing of the first mail item has not been completed, and, where the first postage charge is unused, determine
 - (b1) whether the first postage indicium is suitable for use in relation to the second mail item, and,
 - (b2) where the first postage indicium is suitable for use in relation to the second mail item, generate a substitute postage indicium to provide evidence in relation to the second mail item that an accounting operation has been effected in respect of the first postage charge.

Thus, similarly to the arguments put forward in relation to new claim 11, the mail preparation apparatus of new claim 20 is clearly distinguished over the disclosures of Pitchenik in view of Amirpanahi and Cordery et al, where step (a) of new claim 20 corresponds to step (b) of new claim 11, step (b) of new claim 20 corresponds to step (d) of new claim 11, step (b1) of new claim 20 corresponds to step (e) of new claim 11 and step (b2) of new claim 20 corresponds to step (f) of new claim 11.

For the foregoing reasons, we believe that the claims now presented distinguish the invention from the prior art, and that the application is in condition for allowance.

Respectfully,



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June 3, 2004

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